

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

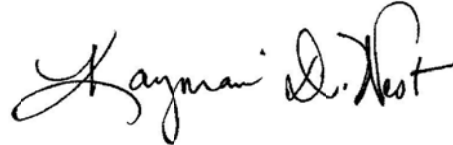
Karen Bailey Lesser,)	Civil Action No. 5:14-2818-JFA-KDW
)	
Plaintiff,)	
)	
vs.)	REPORT AND RECOMMENDATION
)	
Carolyn W. Colvin, ¹ Acting Commissioner of Social Security Administration,)	
)	
Defendant.)	
)	

On July 14, 2014, Plaintiff, appearing pro se, filed this action appealing her denial of social security benefits. ECF No. 1. Because this case was not in proper form, Plaintiff was directed to submit the required service documents and to answer special interrogatories about her administrative exhaustion efforts by August 11, 2014. ECF No. 8. When Plaintiff did not respond to the initial Order by the deadline for her compliance, a second Order was issued on August 25, 2014, under which Plaintiff was directed to submit the items needed to bring the case into proper form by September 8, 2014. ECF No. 13. Plaintiff was informed under both Orders that failure to comply with the directions contained therein could result in dismissal of this case for failure to prosecute. *Id.*; ECF No. 8. *See Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b). Plaintiff has not responded to either Order issued in this case, nor has she communicated with the court regarding this matter.

¹ Carolyn W. Colvin became the Acting Commissioner of Social Security on February 14, 2013.

Based on the foregoing, it appears Plaintiff no longer wishes to pursue this action at this time. Accordingly, it is recommended that this action be dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(b).

IT IS SO RECOMMENDED.

A handwritten signature in black ink, reading "Kaymani D. West". The signature is fluid and cursive, with the first name "Kaymani" being more prominent and the last name "West" following in a similar style.

September 15, 2014
Florence, South Carolina

Kaymani D. West
United States Magistrate Judge

**The parties are directed to note the important information in the attached
“Notice of Right to File Objections to Report and Recommendation.”**

Notice of Right to File Objections to Report and Recommendation

The parties are advised that they may file specific written objections to this Report and Recommendation with the District Judge. Objections must specifically identify the portions of the Report and Recommendation to which objections are made and the basis for such objections. “[I]n the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

Specific written objections must be filed within fourteen (14) days of the date of service of this Report and Recommendation. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); *see* Fed. R. Civ. P. 6(a), (d). Filing by mail pursuant to Federal Rule of Civil Procedure 5 may be accomplished by mailing objections to:

**Robin L. Blume, Clerk
United States District Court
Post Office Box 2317
Florence, South Carolina 29503**

Failure to timely file specific written objections to this Report and Recommendation will result in waiver of the right to appeal from a judgment of the District Court based upon such Recommendation. 28 U.S.C. § 636(b)(1); *Thomas v. Arn*, 474 U.S. 140 (1985); *Wright v. Collins*, 766 F.2d 841 (4th Cir. 1985); *United States v. Schronce*, 727 F.2d 91 (4th Cir. 1984).